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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

*In re Capacitors Antitrust Litigation*

**Case No. 17-md-02801-JD**

*This document relates to:*

*Benchmark Electronics, Inc.; Benchmark Electronics Huntsville, Inc.; Benchmark Electronics Manufacturing Solutions (Moorpark), Inc.; Benchmark Electronics Manufacturing Solutions, Inc.; Benchmark Electronics Phoenix, Inc.; Benchmark Electronics Tijuana, S. de R.L. de C.V.; and Benchmark Electronics De Mexico S. de R.L. de C.V., Case No. 17-cv-7047*

**STIPULATION AND ~~PROPOSED~~  
ORDER OF DISMISSAL**

**STIPULATION AND ~~PROPOSED~~ ORDER OF DISMISSAL**  
17-md-2801-JD

Plaintiffs Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc., Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V., (collectively, "Benchmark") and Defendant Nitsuko Electronics Corporation ("Nitsuko") pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure hereby stipulate to the dismissal of the present action with prejudice and state as follows:

1. Benchmark and Nitsuko seek the dismissal of this action against Nitsuko with prejudice.

2. Benchmark and Nitsuko agree that each party shall bear its own costs and attorneys' fees in connection with these actions.

3. This stipulation does not affect the rights or claims of Benchmark against any other defendant or alleged co-conspirator in this litigation.

WHEREFORE, the parties respectfully request that this Court issue an Order of Dismissal against Nitsuko only.

**IT IS SO STIPULATED**

Dated: April 16, 2019

/s/ Scott N. Wagner

Robert W. Turken (admitted *pro hac vice*)  
 Scott N. Wagner (admitted *pro hac vice*)  
 Lori P. Lustrin (admitted *pro hac vice*)  
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/s/ Belinda S Lee

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1 ssakona@bilzin.com  
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2 Counsel for Benchmark

Counsel for Defendant Nitsuko Electronics  
Corporation

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4  
5 **ECF ATTESTATION**

6 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file  
7 STIPULATION AND [PROPOSED] ORDER OF DISMISSAL.

8 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for has concurred in  
9 this filing.

10  
11 DATED: April 16, 2019

12 By: /s/ Scott N. Wagner  
13 Scott N. Wagner

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 Dated: May 1, 2019

4   
UNITED STATES DISTRICT JUDGE